

## **Scotland Excel**

**To: Executive Sub-Committee**

**On: 21 June 2024**

**Report by:  
Chief Executive of Scotland Excel**

### **Care & Support Flexible Framework Agreement**

#### **1. Purpose**

The purpose of this paper is to provide members with an update in respect of the work currently being undertaken to establish a new national flexible framework agreement for care & support services and to ask members to note the potential of a Special Executive Sub-Committee meeting being called.

#### **2. Background**

In February a contract notice was published inviting providers to apply to join a new flexible framework for care at home and supported living services. The anticipated commencement date for the new framework was July 2024, replacing the existing framework due to expire.

The application process was met with a good response from the market with applications received from around 400 services. A thorough evaluation process was undertaken of all elements of the applications including analysis of proposed fees.

#### **3. Fee Concerns**

The results of the commercial analysis results were shared with participating local authorities, following completion of the evaluation, who flagged significant concerns about increases in fees proposed by some providers. As a result, post tender negotiations (PTN) were undertaken with providers, in collaboration with participating authorities. The purpose of these meetings was to enable open and transparent discussions about the specific challenges faced by local areas and the impact of challenging budgets.

Following these meetings, the majority of participating local authorities asked for more time to conclude these conversations. A number of providers also asked

for additional time to review their original proposals. It has therefore not been possible to conclude award recommendations and seek committee approval to award in June to enable a July commencement date as advertised.

#### **4. Implications**

Award approval at the next scheduled Executive Sub-Committee in August which would enable a September commencement date for the new framework.

Providers participating in the current care and support framework received an increase to their fees, in line with Scottish Government's adult social care pay increase, in April. Anticipating a July commencement date and new fees agreed through the application process, local authorities did not support an increase to fees beyond the amount funded by Scottish Government in April. Therefore, providers have not received an increase in relation the non-staffing portion of their fees in the current financial year.

The delay to the commencement date means providers seeking increases to this portion of their fees will not receive them until the new framework is live and the relevant parties agree to transfer existing packages of care to the new framework terms. Providers have highlighted concerns about any delay to the agreement of the new framework agreement and fees.

#### **5. Next Steps**

To minimise the financial impact of the delayed commencement date on providers, Scotland Excel is considering options to seek approval to award the framework before the next scheduled meeting in August, should the necessary conversations be concluded earlier.

Members are therefore asked to note the potential of a Special Executive Sub-Committee meeting being called during the summer recess period to enable Scotland Excel to seek approval to award the Care & Support Flexible Framework Agreement.

Approval to extend the existing framework to ensure coverage during this period will be sought via Scotland Excel's internal governance processes.